

15.01.2024
as/tkm/ct 28
sl no. 65

C.R.M. (DB) 95 of 2024

In Re : An application for bail under section 439 of the Code of Criminal Procedure in connection with Magrahat PS case no. 307 of 2023 dated 29.7.2023 under sections 341/324/326/307/302/120B IPC and sections 25/27/35 of the Arms Act

And

In Re : Najrul Haque Fakir @ Naju

....petitioner

Mr. Arindam Jana

Mr. A Sengupta

Mr. P P Sinha

Mr. S Biswas

..... for the petitioner

Ms. Anasyua Sinha

Mr. A. S Chatterjee

..... for the State

Ms. Angshuman Chakraborty

Mr. D Sardar

Mr. S S Saha

..... for the de facto complainant

1. Petitioner contends he is a victim of political rivalry. He did not play any role in the assault of the deceased. He has been falsely implicated in the case. He prays for bail.

2. Learned lawyer for the State opposes the bail prayer. She submits petitioner is a conspirator who had abetted the commission of the crime. Victim had been brutally murdered.

3. Learned lawyer for the de facto complainant also opposes the bail prayer.

4. We have considered the materials on record. Statements of eye-witnesses show petitioner was present at the spot. It is alleged that he had abetted the co-accused who had brutally murdered the victim. Charge has been framed and date has been fixed for recording evidence.

5. In view of the gravity of offence and as vulnerable witnesses are yet to be examined, we are not inclined to grant bail to the petitioner at this stage.

6. Accordingly, prayer for bail is rejected.

(Partha Sarathi Sen, J.)

(Joymalya Bagchi, J.)